

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 RAYMOND JACKSON,

4 Plaintiff

Case No. 3:20-cv-00009-GMN-CLB

ORDER

5 v.

6 PHILSON, *et al.*,

7 Defendants
8

9 **I. DISCUSSION**

10 On January 8, 2020, this Court ordered Plaintiff to file a fully complete application
11 to proceed *in forma pauperis* or pay the full \$400 filing fee for a civil action within thirty
12 (30) days from the date of that order. (ECF No. 3 at 2).

13 On January 23, 2020, Plaintiff filed an application to proceed *in forma pauperis*.
14 (ECF No. 5). Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must
15 file a fully complete application to proceed *in forma pauperis* and attach both an inmate
16 account statement for the past six months and a properly executed financial certificate.
17 Plaintiff did not attach an inmate account statement for the past six months and a properly
18 executed financial certificate to his application. As such, Plaintiff's application to proceed
19 *in forma pauperis* (ECF No. 5) is denied without prejudice.

20 On January 27, 2020, Plaintiff filed a motion for an extension of time to file a fully
21 complete application to proceed *in forma pauperis* because he had not received his
22 financial certificate and inmate account statement for the past six months from the NDOC.
23 (ECF No. 7 at 1). The Court now grants Plaintiff's motion for an extension of time. Plaintiff
24 shall file a fully complete application to proceed *in forma pauperis*, including an inmate
25 account statement for the past six months and a properly executed financial certificate,
26 or pay the full \$400 filing fee on or before **Wednesday, March 4, 2020**. If Plaintiff files
27 another incomplete application to proceed *in forma pauperis*, the Court will dismiss the
28 case in its entirety, without prejudice, to file a new case when Plaintiff is able to acquire

1 the necessary documents to file a complete application to proceed *in forma pauperis*.

2 **II. CONCLUSION**

3 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed
4 *in forma pauperis* (ECF No. 5) is denied without prejudice.

5 IT IS FURTHER ORDERED that Plaintiff's motion for extension of time (ECF No.
6 7) is granted.

7 IT IS FURTHER ORDERED that on or before **Wednesday, March 4, 2020**,
8 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on
9 the correct form with complete financial attachments, including an inmate account
10 statement for the past six months and a properly executed financial certificate, in
11 compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action
12 (which includes the \$350 filing fee and the \$50 administrative fee).

13 IT IS FURTHER ORDERED that, if Plaintiff's next application to proceed *in forma*
14 *pauperis* is incomplete, the Court will dismiss the case, without prejudice, for Plaintiff to
15 file a new case when he is able to acquire the necessary documents to file a complete
16 application to proceed *in forma pauperis*.

17 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
18 dismissal of this action will result.

19 DATED: February 3, 2020.

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22 UNITED STATES MAGISTRATE JUDGE
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